

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

URBAN CONSTRUCTION INC.,

Plaintiff,

-against-

THE TRAVELERS INDEMNITY COMPANY,

Defendant.

**Docket No.:**

1:22-cv-03486-JPC

**Civil Case**

THE TRAVELERS INDEMNITY COMPANY,

Third-Party Plaintiff,

-against-

AMGUARD INSURANCE COMPANY,

Third-Party Defendant.

**STIPULATION TO WITHDRAW ORDER TO SHOW CAUSE AND  
EXTEND TIME FOR THIRD-PARTY DEFENDANT TO  
ANSWER THIRD-PARTY PLAINTIFF'S COMPLAINT**

IT IS HEREBY STIPULATED by and between the parties hereto through their respective attorneys that Defendant/Third-Party Plaintiff, THE TRAVELERS INDEMNITY COMPANY will withdraw its Order to Show Cause filed on May 3, 2023, seeking a default judgment against Third-Party Defendant, AmGUARD Insurance Company, ("AmGUARD"); and

IT IS HEREBY FURTHER STIPULATED by and between the parties hereto through their respective attorneys that AmGUARD may have an additional 30 days within which to answer or

otherwise respond to Third-Party Plaintiff's complaint. Therefore, the last day for AmGUARD to answer or otherwise respond to Third-Party Plaintiff's complaint is **Monday, June 12, 2023**.

Good cause exists for this extension as Third-Party Defendant's counsel has just been assigned to this case and requires time to become knowledgeable about the case to prepare an initial pleading.

This document is being electronically filed through the Court's ECF System. In this regard, counsel for AmGUARD hereby attests that (1) the content of this document is acceptable to all persons required to sign the document; (2) Third-Party Plaintiff's counsel has concurred with the filing of this document; and (3) this is the first request by the parties for such an extension.

Respectfully submitted,

Dated: New York, New York  
May 12, 2023

**RUSSO & GOULD LLP**

By: /s/ Alan S. Russo

Alan S. Russo, Esq.  
Attorneys for Defendant  
**AmGUARD Insurance Company**  
[arusso@russogould.com](mailto:arusso@russogould.com)

Dated: New York, New York  
May 12, 2023

**USERY AND ASSOCIATES**

By: /s/ Rachel J. Fain

Rachel J. Fain, Esq.  
Attorneys for Plaintiff  
The Travelers Indemnity Company of America  
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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

**ORDER**

Pursuant to the parties' stipulation, **IT IS SO ORDERED,**

Third-Party Defendant to answer or otherwise respond to Third-Party Plaintiff's complaint  
on or before **Monday, June 12, 2023.**

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John P. Cronan, U.S.D.J